

FULL CONTROL

THE GOVERNMENT'S POLICY
TOWARD RAILROADS CLEARLY
DEFINED.

PRESIDENT AT INDIANAPOLIS

A Memorial Day Speech Bristling
With Aphorisms and Patri-
otic Sentiments.

Indianapolis, May 30.—President Roosevelt today made the principal address at the unveiling of a monument to General Henry W. Lawton. The speech was devoted to a discussion of railway problems and incidentally paid a warm tribute to Oliver Morton, the war governor of Indiana. He said:

"One great problem that we have before us is to preserve the rights of property; and these can only be preserved if we remember that they are in less jeopardy from the Socialist and the Anarchist than from the predatory man of wealth.

"It has become evident that to refuse to invoke the power of the nation to restrain the wrongs committed by the man of great wealth who does evil is not only to neglect the interests of the public, but is to neglect the interests of the man of means who acts honorably by his fellows.

"The power of the nation must be exerted to stop crimes of cunning no less than crimes of violence.

"There can be no halt in the course we have deliberately elected to pursue, the policy of asserting the right of the nation so far as it has the power, to supervise and control the business use of wealth, especially in its corporate form.

"Today I wish to say a word to you about the first and most important feature of this task, the control of the common carriers doing an interstate business; a control absolutely vested in the nation, while in so far as the common carriers also transport the mails it is in my opinion probable that whether their business is or is not interstate it is to the same extent subject to federal control, under that clause of the constitution granting to the national government power to establish post roads and therefore by necessary implication power to take all action necessary in order to keep them at the highest point of efficiency.

"Every federal law dealing with corporations or with railroads that has been put upon the statute books during the last six years has been a step in advance in the right direction. All action taken by the administration under these and the pre-existing laws has been just and proper. Every suit undertaken during that period has been a suit not merely warranted, but required, by the facts; a suit in the interest of the people as a whole, and, in the long run, particularly in the interest of stockholders as well as in the interest of business men of property generally. There can be no swerving from the course that has thus been mapped out in the legislation actually enacted and in the messages in which I have asked for further legislation.

"We best serve the interests of the honest railway men when we announce that we will follow out precisely this course.

"It is the course of real, of ultimate, conservatism.

"There will be no halt in the forward movement toward a full development of this policy; and those who wish us to take a step backward or to stand still, if their wishes were realized, would find that they had invited an outbreak of the very radicalism they fear. There must be progressive legislative and administrative action for the correction of the evils which every sincere man must admit to have existed in railroad management in the past.

"Such additional legislation, as that for which I have asked in the past, and especially that for which I asked in my message at the opening of the last session of Congress, is not merely in the interest of the public but most emphatically in the interest of every honest railway manager and of all investors or would-be investors in railway securities. There must be vested in the federal government a full power of supervision and control over the railroads doing interstate business; a power in many respects analogous to and as complete as that the government exercises over the national banks. It must possess the power to exercise supervision over the future issuance of stocks and bonds, either through a national incorporation (which I should prefer) or in some similar fashion, such supervision to include the frank publicity of everything which would be investors and the public at large have a right to know.

"The federal government will thus be able to prevent all overcapitalization in the future; to prevent any man hereafter from plundering others by loading railroad properties with obligations and pocketing the money instead of spending it in improvements and in legitimate corporate purposes; and any man acting in such fashion should be held to a criminal accountability. It should be declared contrary to public policy henceforth to allow railroads to devote their capital to anything but the transportation business, certainly not to hazards of speculation. For the very reason that we desire to favor the honest railroad manager, we should seek to discourage the activities of the man whose only concern with railroads is to manipulate their stocks. The business of railroad organization

and management should be kept entirely distinct from investment or brokerage business, especially of the speculative type, and the credit and property of the corporation should be devoted to the extension and betterment of its railroads, and to the development of the country naturally tributary to the lines. These principles are fundamental. Railroads should not be prohibited from acquiring connecting lines, by acquiring stocks, bonds, or other securities of such lines; but it is already well settled as contrary to public policy to allow railroads to acquire control over parallel and competing lines of transportation. Subject to first giving to the government the power of supervision and control which I have advocated above, the law should be amended so that railroads may be permitted and encouraged to make traffic agreements when these are in the interest of the general public as well as of the railroad corporations making them. These agreements should, of course, be made public in the minutest detail, and should be subject to securing the previous assent of the Interstate Commerce Commission.

"The movement to regulate railways by law has come to stay. The people of this country have made up their minds—and wisely made up their minds—to exercise a closer control over all kinds of public-service corporations, including railways. Every honestly managed railway will gain and not lose by this policy.

"The men more anxious to manipulate stocks than to make the management of their roads efficient and honest are the only ones who have cause to oppose it.

"We who believe in steady and healthy progress stand unalterably for the new era of the widest publicity, and of fair dealing on the part of railroads with stockholders, passengers and shippers. We ask the consent of no man in carrying out this policy; but we gladly welcome the aid of every man in perfecting the law in its details, and in securing its enactment and the faithful observance of its wise provisions. We seek nothing revolutionary. We ask for such laws as in their essence now obtain in the state old commonwealth of Massachusetts; such laws as now obtain in England. The purpose of those of us who so resolutely believe in the new policy, in its thorough carrying out and in its progressive development, is in no sense punitive or vindictive. We would be the first to protest against any form of confiscation of property, and whether we protested or not, I may add that the Supreme Court can be trusted in any event to see that there should be nothing done under the guise of regulating roads to destroy property without just compensation or without due process of law.

"As a matter of course, we shall punish any criminal whom we can convict under the law, but we have no intention of confounding the innocent many and the guilty few by any ill-judged and sweeping scheme of vengeance. Our aim is primarily to prevent these abuses in the future. Wherever evil does can be, they shall be, brought to justice; and no criminal, high or low, whom we can reach will receive immunity. But the rights of innocent investors should not be jeopardized by legislation or executive action; we sanction no legislation which would fall heavily on them, instead of on the original wrongdoers or beneficiaries of the wrong.

"There must be no such rigid laws as will prevent the development of the country, and such development can only be had if investors are offered an ample reward for the risk they take."

"The experience of the past winter proves how great is our dependence on the railroads and how serious the responsibility of those who undertake to care for the public in the matter of transportation. I believe that there is sufficient ingenuity and executive genius in the operating officials of the roads greatly to diminish the troubles complained of.

"The most effective way to lessen demands for unreasonable legislation is for the railroads acting individually and collectively to remedy as many as possible of the abuses and shortcomings for which there are remedies, and for which remedial laws are demanded by the shipping public.

"The admirable national legislation of recent years, in taking away from the railroads the power of giving illegal favor, has taken away from them one of the illegitimate methods by which they used to protect themselves from improper attack; and it is therefore necessary that upright public servants should be as vigilant to protect them against harm as to prevent them from doing harm.

"What we have to demand in ourselves and in our public servants is honesty—honesty to all men; and if we condone dishonesty because we think it is exercised in the interests of the people, we may rest assured that the man thus showing it lacks only the opportunity to exercise it against the interests of the people. The man who on occasion will corruptly do what is wrong in the interest of a big corporation is the very man eager to blackmail that corporation as the opportunity arises.

"The man who is on occasion a corruptionist, is apt, when the gust of popular feeling blows hard against the corporations he has corruptly served, to be the loudest, most reckless and most violent among those who denounce them. Hunt such a man out of public life. Hunt him out as remorselessly if he is a blackmailer as if he stands corruptly for special privilege.

"Demand honesty—absolute, unflinching honesty—together with courage and common sense, in public servant and in business man alike.

HAYWOOD TRIAL

PART OF ORCHARD'S CONFESSION
CORROBORATED, SAYS
PROSECUTION.

150 WITNESSES TO TESTIFY

Belief Expressed That Jury Cannot Be
Found in Idaho That Will
Agree—What Ten?

Boise, Idaho.—Senator Borah, leading counsel for the prosecution in the Haywood case, said that the state would be able positively to corroborate one important feature of Orchard's confession. Orchard, in the version of his confession that has been circulated over the country with the tacit approval of Detective McParland, claims to have attempted to assassinate "Jim" Bradley, who was superintendent of the Bunker Hill mine during the Coeur d'Alene troubles in 1899.

Bradley quit the Coeur d'Alene when the bull pens were abolished and took up his residence in San Francisco. One morning about two years ago, an explosion occurred as he opened the front door of his home. He was severely injured and the house was damaged.

Orchard told McParland that he had been delegated by the inner circle of the Western Federation of Miners to kill Bradley and that he had placed a bomb in such a position that Bradley would explode it when he opened the front door of his house.

The state is gathering its array of witnesses, squads of them being assigned to the care of Pinkerton detectives. It is estimated that there are now in Boise fifty of the 150 witnesses summoned by the state. Even with this excess of care which the state is bestowing on the witnesses, reports are circulated which indicate that they are causing considerable trouble and no little annoyance to the sleuths. One of the state's most important witnesses is Lottie Day, a keeper of a resort at Cripple Creek. She escaped the sleuths, and, it is understood, took the afternoon train back to Colorado. She was subpoenaed to tell of a conversation with Orchard in relation to the acts of violence committed in the Cripple Creek district.

Counsel for the defense was increased by the arrival of Attorney Peter Breen of Butte, a former member of the Western Federation and a survivor of the Coeur d'Alene bull pen. Breen was an active participant in the clashes in northern Idaho and is well acquainted with the conditions and the persons arrayed on the other side. He exchanged greetings with Attorney Hawley, who fifteen years ago was counsel for the federation and appeared for him in the several trials following the early troubles.

In the person of one Lloyd, a Pinkerton agent, Breen recognized Harry Allison, who joined the Miners' union at Gem, Idaho, during the strike, and became secretary of that union. Another of Allison's aliases is Serrino. His occupation here is to act as a bodyguard for the manager of the Pinkerton sleuths.

Some fears are expressed as to the chances of the jury withstanding the long strain of the trial. Among the twelve men in the box more than half are more than sixty years of age, three have passed the seventy mark, and the average is about fifty-eight. With the exception of one, the jury is composed of farmers, who are used to outdoor life, and the confinement is already beginning to tell on some who have sat for more than two weeks.

Boise, Idaho.—It seems almost beyond the range of possibility at this time that the Haywood jury will agree. Then what?

Will the accused be released, rearrested and turned over to Colorado authorities for trial on conspiracy charges in that state, or will an attempt be made to secure another jury for a rehearing of the Steunenburg murder charge in Boise?

These are the questions that are upmost in the minds of those most vitally interested in the result of the trial now in progress. The situation is remarkable in many ways.

Three men are indicted. Three men are to be tried. They are charged with conspiracy and complicity in the murder of a former chief executive of a state, the entire population of which does not exceed that of Denver.

The history of the labor troubles leading to the death of this one-time governor is known by heart to nearly every man, woman and child in Idaho. A majority of those eligible for jury duty have a firmly rooted conviction that the federation officials are either innocent or guilty.

Three weeks have gone by and a jury has not yet been secured in the most populous county in the state. They will be compelled to base their verdict largely upon circumstantial evidence. They will hear the testimony of Harry Orchard, the nature of which, it is promised, will be startling in the extreme.

All the 200,000 inhabitants of Idaho will read the disclosures Orchard will make. They will base opinions on what he tells the court and jury. In the very nature of things, these readers will be disqualified for jury duty.

How, then, can a jury be obtained in any county of the state either to retry Haywood, in case the present jury disagrees, as predicted, or to sit in judgment upon Moyer or Pettibone?

Standard Oil Fined \$1,600,000.

Washington.—The decision of a Texas jury, fining the Waters-Pierce Oil Company over a million and a half dollars for its violations of the anti-trust law and cancelling its permit to do business in the state, is considered here such a severe blow to the Standard Oil trust that it may force the corporation to dissolve before the federal government's cases against it can be heard.

The action is one of deep significance. It comes at a time when the Supreme Court of Missouri has before it the report of its special commissioner, which finds that the same Waters-Pierce Oil Company has been violating the anti-trust law of that state, and recommends that its permit be cancelled.

Although there has been very little doubt as to the action the Missouri Supreme Court will take, it is believed the Texas decision will prompt quicker action.

The oil trust is treading a perfect labyrinth of legal prosecutions. Ohio, Texas and Missouri have attacked it under state anti-trust laws. The federal government is prosecuting it under the Elkins rebate law of Illinois, Tennessee, Missouri and New York.

It has been found guilty in Chicago and is now awaiting the infliction of sentence by Judge Landis. Under the law the minimum fines must reach \$1,500,000. If the limit is imposed the Standard will have to pay \$29,000,000.

The circuit judges of the Eighth circuit have just heard arguments on the demurrer of the Standard Oil to the government's bill, asking for a dissolution. An early decision is expected. The court will then appoint a commissioner to take testimony. The department of justice will use its best endeavor to bring the case to a speedy conclusion.

In Ohio the state authorities are pushing the oil trust in civil and criminal proceedings. The Circuit Court has just given a black eye to the trust by ruling that the Circuit Court of Hancock county, which fined the Standard \$5,000, had jurisdiction. The question will be fought out in the Supreme Court.

Rather Rot in Jail.

Colorado Springs.—"I'll stay in jail until I rot before I tell them where the books are, unless they pay me what is due me first," declares Miss Edne E. Fuller, young, handsome and determined, now confined in jail for contempt of court for refusal to give up the books of a mining company of which she has been secretary.

She was brought into court because she refused to surrender the books of the Mary Murphy Mining Company, which she acknowledged to be in her possession. Miss Fuller is bookkeeper at the Hayman market, 14 South Tejon street, and was employed to keep books for the mining company during her spare time. Edward Jones, secretary of the company, alleges that he demanded the books but when he endeavored to get them he found them missing.

Miss Fuller claims about \$60 salary for work done on the books. When the mining company demurred to immediate payment of this sum, Miss Fuller is alleged to have informed the officers that as long as payment was deferred just so long would they seek in vain for the books. She admits that their whereabouts is known to her and to her only.

The matter got into the courts when Jones had issued from Justice Ruby a writ of replevin demanding the books from Miss Fuller. When the writ was served on Miss Fuller at the Hayman market by Constable W. P. Orrabee, she read the document, looked at the constable and decided that it would take more than the strong arm of the law to force her to reveal the hiding place of the books until the \$60 was forthcoming. She refused to turn them over as ordered in the writ.

Accordingly a warrant for her arrest was issued and she was brought into court for explanation. She explained.

All there was to it was that she wanted the salary, and until the salary was paid the books would not be found, jail or no jail. Neither court nor counsel could persuade Miss Fuller to give up the books demanded by the mining company, and with head erect and a look of determination on her countenance she heard the sentence of the court that she be incarcerated in jail until she would turn over the books of the Mary Murphy Mining Company.

Gold Discovery Makes No Difference.

Denver.—Claims that gold running \$28 a ton and of coal of high grade underlying the rich farming lands in the neighborhood of Semper, apparently had but little effect on the jury which has been hearing the condemnation suit brought by the Farmers' Reservoir and Irrigation Company. At Golden the jury decided that the land is worth \$67.50 an acre, and no more, and unless an appeal to a higher court results in a change, the Midway Real Estate and Coal Company, composed of farmers who own the lands wanted for a reservoir site, will have to sell their holdings at this sum per acre.

The farmers who were parties to the suit opposing the reservoir company are W. R. Churchill, Frederick Wick and William F. Smith.

These men claimed that their land is worth at least \$150 an acre for agricultural purposes, and a few days ago, as a result of drilling for coal, announced that the drills, at a depth of something over 700 feet, had penetrated a blanket vein of gold ore assaying \$28 a ton. News of the find created a mild excitement, and for a few days geological experts were busy affirming and denying that such a find was possible.

WAR IN CHINA

THREE PROVINCES ARE NOW IN
ACTIVE REVOLT.

1,000 FALL IN ONE BATTLE

Revolutionary Movement Designs to
Overthrow the Manchu Dy-
nasty in China.

Revol broke out on May 22d, when rebels killed the military and civil authorities at Wong Kong, but the news did not reach the world until this week.

Three provinces are now in active revolt.

Battle raging between the rebels and imperial troops near Swatow.

Chang Chow, one of the important cities of China, is also threatened with attack.

Estimates place total number of rebels at from 50,000 to 100,000.

The rebels aim to overthrow the Manchu dynasty, which is said to be seriously threatened.

Rebels are killing every official captured.

Amoy, China.—A great battle between the imperial troops and rebels is reported in progress near Swatow. Thousands of men are engaged. No word has been received here as to which side has the best of the fighting.

While the movements of the rebel and imperial armies are not definitely known, it is believed the soldiers were able to overhaul the revolutionists in the race for Swatow. It is hoped the troops will be able to prevent the rebels from capturing the seaport, but it is admitted by the authorities that the issue is in doubt.

Fighting in the recent battle, while not long continued, was of the fiercest character. In a very short engagement nearly 1,000 men fell. The rebels were heaviest losers in the fight and quickly retired. It is believed only their advance guard was engaged and that with the arrival of reinforcements the struggle for the possession of Swatow was resumed.

That the rebels in the neighborhood of Swatow far outnumber the troops is well known. Reports are that as many as 30,000 armed men are in the rebel army. It is doubtful if the imperial forces number over 4,000 men. The soldiers, of course, have the advantages of training and discipline and superior arms, but it is known that many former army officers are with the rebels, and they have been able to bring the rebel forces to a higher state of efficiency than usually obtains among revolutionists.

Throughout China the situation is much worse, and every dispatch says the revolt is spreading. Another rebel army was reported near Chang Chow, threatening to attack that city, one of the largest in Fokien province. Three provinces are now affected by the revolt, and agitators have been dispatched into other provinces to arouse the natives. If Swatow falls into the hands of the revolutionists it will give great impetus to the revolutionary movement designed to overthrow the Manchu dynasty.

Farmers Unduly Alarmed.

Washington.—The farmers of the West have been greatly alarmed in the last few weeks by the persistent circulation of a report to the effect that the administration was preparing to make a charge for water derived from the national forests and used for irrigation and other purposes. The report, it appears, has not the slightest basis of fact, and has been denied by officials of the forest service.

People of the sections of the West where irrigation has been such an important factor in development, were naturally much concerned in the rumored charge for water coming from the national forests.

The interests of the people concerned with forestry and irrigation are much the same as the steady flow of most of the irrigating streams is absolutely dependent on the preservation of the forest watersheds.

In a letter to Edward T. Taylor of Glenwood Springs concerning the rumored charge for water for irrigation, Forester Pinchot says that he does not believe that there ever should be, or ever will be, a charge for water for irrigation. The erroneous report was founded on misrepresentations regarding the charges which electric power companies are required to pay for use and occupancy of lands in the national forest for reservoir sites, conduit rights of way and power stations.

This charge is solely for the use of the lands, based on their value for such purposes, and is not in any sense a charge for water. The appropriation and use of water is regulated solely by the state and the forest service has no jurisdiction in the matter.

In the case of irrigation projects, the forest service does not even charge for the use of lands for reservoirs and canals. Hundreds of permits have been issued by the forester to occupy and use national forest lands for irrigation reservoirs and conduits, and such permits are always granted free.

Serious Wreck in Texas.

San Antonio, Tex.—One man was instantly killed and a score of persons injured, some of them fatally, by the wrecking of eastbound passenger train No. 8 on the morning of June 2nd, two miles west of Lozier, a small station on the Southern Pacific.

The derailment was the result either of train wreckers or defective steel, though the positive cause had not been discovered.